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SUBJECT: CONSCRIPT SOLDIER IMPRISONED FOR RETRACTING TESTIMONY  
AGAINST OPPOSITIONIST

REF:

(U) Sensitive but unclassified. Please protect accordingly.

11. (SBU) Yerevan district court sentenced 18-year-old Karen Hayrapetian to one year in prison on perjury charges for retracting his incriminating testimony against opposition Member of Parliament Myasnik Malkhasian and his driver Arman Shahinian, who were arrested following the March 1-2 postelection violence. Arman Shahinian was sentenced to 18 months imprisonment in June 2008 for allegedly assaulting a policeman on March 1. Shahinian's verdict was based mainly on a pre-trial statement signed by Karen Hayrapetian, who prosecutors said had witnessed the incident. There was no specifically identified victim in this case; the police officer whom Shahinian allegedly assaulted has never been identified. (Note: Shahinian was released from prison on December 29, 2008, after serving one third of his sentence. End note.)

12. (SBU) Hayrapetian claimed at Shahinian's trial that he was tricked by police into signing the testimony shortly before being drafted into the army on June 10. He also said he had never seen Shahinian before, and that on March 1 he was not even in Yerevan. According to a news report, twenty of Hayrapetian's co-villagers including the village mayor signed a document asserting that he was in Hartavan village on that date. The judge ignored Hayrapetian's retraction and convicted Shahinian, based on Hayrapetian's written testimony and as well as that of another reputed witness who later alleged coercion (see para 4 below).

13. (SBU) Soon after the Shahinian trial, state prosecutors accused Hayrapetian of perjury and he went on trial in October 2008. The court convicted him on January 22 and he was taken to prison. According to the Helsinki Association, who monitored the trial, Hayrapetian's military commanders who were present at the trial were taken by surprise with the verdict, since they had expected a suspended sentence. The opposition Armenian National Movement claimed that Hayrapetian became the 60th political prisoner in the country.

14. (SBU) In addition to Hayrapetian there was one more reputed witness to the alleged assault. The Helsinki Association reports that the second witness had asserted that he had been beaten in police custody until he agreed to give false testimony against Shahinian, but this second witness was not willing to retract the testimony in court for fear of further reprisals.

YOVANOVITCH